(LIST YEAR.) THE (No. 2559.)

MARYLAND GAZETTE.

THURSDAY, JANUARY 28, 1796.

By the SENATE, December 21, 1795.

On motion, ORDERED, That the bill, entitled, An act declaring jurisdiction in civil cases, with the respective endorsements thereon, be published four weeks successively in the Annapolis, Baltimore Federal Intelligencer, and Easton news papers, before the first day of June next.

By order,

H. WARFIELD, clk.

An ACT declaring jurisdiction in civil cases.

BE it enacted, by the general assembly of Maryland, That the general court shall have original jurisdiction and cognizance of all real actions, actions of ejectment, and of all actions of waste, and of all actions of replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, and of all personal and mixed actions, except of trespass on real property as herein after provided, where the real debt, or thing in demand, or damages assessed, shall amount to the sum or value of one hundred pounds current money; but if any such action shall be brought in the general court, except as aforesaid, and the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the court shall, ex officio, order the plaintiff to be nonsuited.

II. *And be it enacted*, That the general court shall have original jurisdiction and cognizance of all actions of trespass on real property where the title to the land is in question, and also where the damages assessed shall amount to the sum of twenty pounds current money, but if any such action shall be brought in the general court, and the title to the land shall not be in question, and the damages assessed shall not amount to the sum aforesaid, the court shall, ex officio, give judgment for the damages only, and may, in their discretion, adjudge that the plaintiff shall pay the defendant his costs.

III. *And be it enacted*, That the several county courts shall have original jurisdiction in all cases whatever, not now within the jurisdiction of a single magistrate.

IV. *And be it enacted*, That if any person shall commit any trespass on real property, or shall assault and beat the person of another, and shall remove from the county where such property lies, or where such assault and battery was committed, the person injured may, at his option, sue such trespasser in any county of the shore where he or she may be found, or issue a writ from the county court of the county, or from the general court of the shore, where such trespass was committed, directed to the sheriff of the county where the defendant resides, and returnable to the general or county court from whence it issued, any thing herein before to the contrary thereof notwithstanding.

V. *And be it enacted*, That no action commenced in any county court shall be removed by the plaintiff by certiorari, unless with the consent of the defendant, entered on the record, on producing the certiorari, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; and if any action shall be removed to the general court by the plaintiff in which the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the said court shall, ex officio, adjudge that such plaintiff be nonsuited.

VI. *And be it enacted*, That no action commenced in any county court, except of dower, ejectment, replevin, or for trespass on real property, shall be removed by the defendant, by certiorari, or habeas corpus, unless before issue joined, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; but any defendant in an action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may remove any such action to the general court, at any time before issue joined, on paying the costs accrued in the county court before such removal; and any plaintiff in any action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may, without the consent of the defendant, remove any such action to the general court, at any time before issue joined, on paying the defendant all the costs accrued in the county court before such removal, any thing herein before to the contrary thereof notwithstanding.

VII. *And be it enacted*, That no appeal or writ of error shall lie from any judgment of any county court, in any personal action, to the general court, unless on the oath, or affirmation, of the party, if defendant, or his attorney, that the appeal, or writ of error, is not brought for delay, and if on any such appeal, or writ of error, judgment shall be affirmed, the appellee shall recover double costs.

VIII. *And be it enacted*, That the sheriffs of the several counties of the western shore for the time being, shall summon as grand jurors, to attend the general court for the said shore at the spring session, at least fifteen days before the day appointed by law for the holding of the said courts, as follows, to wit: One from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; three from Montgomery, Charles and Calvert counties; and four from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon and return to the said court, for such grand jurors, free white male citizens of this state, and inhabitants of their respective counties, and such only as are from their education, knowledge, information and experience, most capable and best qualified to discharge the important trust and duty of grand jurors; and the said sheriffs shall summon no person unless above twenty-five and under fifty-five years of age, and who has not a freehold of above one hundred acres of land in his county, or property in the county assessed to above the value of five hundred pounds current money.

IX. *And be it enacted*, That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as grand jurors, to attend the general court at the spring session for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cæcil, Kent, Worcester and Somerset counties; three from Dorchester and Caroline counties; and five from Queen-Anne's and Talbot counties; and the said several sheriffs are also required to summon, for such grand jurors, persons above described, and having the same qualifications as above mentioned and prescribed.

X. *And be it enacted*, That the sheriffs of the several counties of the western shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least fifteen days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; four from Montgomery, Charles and Calvert counties; and six from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors, and most capable and best qualified to discharge the important trust and duty of petit jurors.

XI. *And be it enacted*, That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cæcil, Kent, Worcester and Somerset counties; five from Dorchester and Caroline counties; and seven from Queen-Anne's and Talbot counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors and petit jurors for the western shore, and no challenge shall be allowed to any juror, summoned in virtue of this act, for want of freehold.

XII. *And be it enacted*, If any sheriff shall neglect to summon and make return of the best and most capable men in his county to be grand and petit jurors, according to the directions of this act, he shall, for every such neglect of duty, be fined by the general court, not exceeding one hundred pounds current money; and if any person so summoned as a grand or petit petit juror shall not appear, or appearing shall depart the court without the leave thereof, such person so offending may be fined by the court, in their discretion, not exceeding the sum of thirty pounds current money.

XIII. *And be it enacted*, That no person qualified to be a grand or petit juror, according to this act, shall be exempted from such necessary and important duty, except only the governor and the members of the general assembly and the council, and any principal, vice-principal, professors, tutors and assistants, in any college or seminary of learning, and any school-master or practising attorney, physician or surgeon, and any judicial or civil officer of this state, or of the United States, during their continuance in their respective stations or business, and except also as is hereafter provided.

XIV. *And be it enacted*, That the general court, with the consent of parties, or without their consent, (if the case is not of great importance and difficulty,) may in their discretion, order any action, personal or mixed, that is ready for trial, and in which issues in fact only are joined, to be tried in the county where the plaintiff or defendant resides, (or if justice requires, in any other county,) and such order shall be entered on record, and thereupon, and in virtue thereof, the clerk of the said court shall make out a transcript of the proceeding, under his hand and the seal of the said court, together with a copy of all depositions, (if any,) taken in such cause, and shall deliver the same to the plaintiff, or his attorney, when required, and the plaintiff, or his attorney, shall produce the said transcript, and copies of depositions, (if any,) to the clerk of the county court of the county to which such cause shall be ordered for trial, at the county court to be held next after such order, and on or before the first day of the sitting of the said court, and when produced, the clerk of the said county court shall file them, and enter such action on his docket, and the said court shall proceed to the hearing, trial and determination thereof, and give such judgment, and award execution thereon, returnable to the said court, or to any other county court, in the same manner as if the said action had been originally commenced and carried on to issue in such county court, and the defendant had resided therein or removed thereout after such judgment; and if any plaintiff, or his attorney, shall not produce such transcript as above directed, upon motion in the general court, and due notice thereof given, the said court shall give judgement for the defendant, as in cases of nonsuit, unless the said court shall, upon just and reasonable terms, allow any further time or times for the trial of such action, and if the plaintiff shall again neglect to try his action, the court shall proceed to give such judgement as aforesaid, and all such judgments shall be of the like force and effect as judgments upon nonsuit, and of no other force or effect; and the plaintiff or defendant in such action may issue subpœnas for witnesses, either from the general court or from such county court, and on non-attendance the said county court may issue attachment, either to their county or to any other county, to compel the attendance of such witnesses; and if such action cannot be tried with justice to the parties from want of testimony, or from some defect in plots or the pleadings, the said court may continue such action in the same manner as they can continue any other action in their court, and may grant amendments for the trial of the merits in all proceedings whatsoever before verdict, and if any amendment is made after a jury is sworn, a juror shall be withdrawn, and the said court may take such further order, in their discretion, as justice requires; and on the trial of such action either party shall be entitled to a bill of exceptions, and on appeal, or writ of error, the clerk of the said court shall return the transcript, together with all depositions, (if any,) annexed thereto, to the clerk of the general court, with a transcript of all the proceedings in the said county court in the said cause, under his hand and the seal of the said county court; and upon such transcript the said general court shall proceed to give judgment as is by law directed in appeals or writs of error from the county courts; and the clerk of the county courts, receiving any transcript from the general court, shall enter the same on his records, together with all further proceedings in such actions; and any action ordered to any county court for trial, shall be continued in the general court until the transcript shall be received and filed in the county court; and all costs incurred in the general court shall be taxed, included and recovered, with the costs incurred in the county court.

XV. *And be it enacted*, That it shall be lawful for the general court, on application of either plaintiff or defendant, at any time, and upon satisfaction being given to the court, by affidavit, affirmation, or otherways, that a witness, (who shall be named,) is a material and competent witness in such cause, residing within the state, and not able to attend the court from age, sickness, bodily infirmity or accident, or without great danger of health, to order the deposition of such witness to be taken, on interrogatories, in writing, before some justice of the peace where such witness resides, on such notice to the adverse party as the court may think reasonable; and every deposition taken according to the order of the court, shall be good and legal evidence on the trial, in the same manner as if the witness was produced and examined in open court.

XVI. *And be it enacted*, That either plaintiff or defendant may require that a special jury be selected or struck in the following manner, to wit: The clerk of the general court shall make out and deliver to the parties, or their attornies, a list of all the petit jurors attending the court, and they may agree on any twelve in the said list for the trial of the cause, and if they appear they shall be empannelled and sworn as the jury, but if any of them do not appear, then the said parties, or their attornies, may agree on any other in the said list in the place of such as do not appear, and the juror or jurors so chosen shall be added to the pannel, and sworn in the cause; and if a jury cannot thus be selected by choice, then one shall be struck in the following manner, to wit: The clerk shall furnish a list of all the jurors attending the court to the parties, or their attornies, and they may, in the presence of the clerk, alternately (the plaintiff, or his attorney, beginning first,) strike out from the list the names of all the jurors except twelve, who shall, if they appear, be empannelled and sworn on the jury, but if any of them do not appear, or if any of them are set aside on challenge, the said parties, or their attornies, may again strike out of the list, in the same manner, until there shall be no more left than will make up the

deficiency, and if any of them do not appear, or are set aside on challenge, the parties, or their attornies, may again ſtrike out, as before, and ſo, toties quoties, in like manner, until a jury be obtained; and the jurors ſo ſtruck ſhall be empannelled, and ſworn as the jury to try the cauſe.

XVII. *And be it enacted*, That on the application of either plaintiff or defendant the general court may, in their diſcretion, in any action between merchant and merchant, or between any merchant and his factor or agent, reſpecting mercantile dealings and tranſactions between them that are of great importance, and intricate from the length or multiplicity of items or particulars, or that will probably involve ſome new and difficult queſtion of law, and alſo in other ſpecial and ſimilar caſe of difficulty and intricacy, (although not between merchants, or a merchant and his factor or agent,) iſſue a ſpecial venire facias, directed to the ſheriff of any county, or, if neceſſary, to ſheriffs of different counties of the ſhore where ſuch action is to be tried, to ſummon and return a jury of merchants to attend the ſaid court on a day to be appointed and mentioned in ſuch writ, for the trial of ſuch cauſe, and ſuch ſheriff ſhall, in virtue of ſuch precept, ſummon and return twenty-four, or ſuch number as the court ſhall direct, of the moſt reſpectable and experienced merchants of his county, citizens of this ſtate, above the age of twenty-five, and under fifty-five years, and having a freehold of above one hundred acres of land in his county, or property in the county aſſeſſed to above five hundred pounds current money, and out of the ſaid jurors, or ſuch of them as ſhall appear, a jury may be agreed on or ſtruck in the manner herein before directed, and the jury ſo agreed on or ſtruck ſhall be empannelled and ſworn as the jury to try ſuch cauſe; and all the expence of ſuch jury ſhall be paid by the parties equally, or in ſuch proportion as they ſhall agree, but if they do not agree, then the whole expence ſhall be paid by the party applying for ſuch jury; and if any perſon returned ſhall not appear, or after appearance ſhall wilfully withdraw from the preſence of the court, ſuch perſon ſo offending may be fined by the court, in their diſcretion, not exceeding the ſum of fifty pounds current money.

XVIII. *And be it enacted*, That the ſheriffs of the ſeveral counties for the time being ſhall annually, and upon the firſt day of the ſitting of their reſpective county courts in the ſpring of the year, return an alphabetical and true liſt, in writing, of the chriſtian and ſurnames of all perſons in their reſpective counties, qualified, according to this act, as grand and petit jurors in the general court, to their reſpective county courts, and the ſaid courts are hereby required carefully to examine the ſaid liſt, and diligently to inquire if any perſons qualified to be jurors are omitted, and whether any perſons not qualified to be jurors have been inſerted, and if they find that any have been omitted, they ſhall order the ſheriff to add them to the liſt, and if they find that any have been inſerted by miſtake, who ought to be omitted, they ſhall order the ſheriff to ſtrike out ſuch perſon from the ſaid liſt; and to obtain full information on this ſubject, the ſaid courts may examine the ſaid ſheriff, and his deputies, or any other perſons, (on oath or affirmation,) and if it ſhall appear to the ſaid courts, that the ſaid ſheriff wilfully omitted out of any ſuch liſt any perſon or perſons whoſe name or names ought to be inſerted, or that the ſaid ſheriff wilfully inſerted any perſon or perſons who ought to be omitted, the ſaid courts ſhall fine the ſaid ſheriff for every perſon ſo omitted or inſerted in ſuch liſt contrary to the meaning of this act, not exceeding five pounds current money; and if any ſheriff ſhall take any money, or other reward, for omitting or inſerting any perſon in his ſaid liſt, ſuch ſheriff ſhall forfeit not exceeding fifty pounds current money for every ſuch offence; and the ſaid county courts ſhall direct the clerk of their county immediately to enter ſuch liſt (with the corrections, if any,) among the proceedings of the ſaid court; and the ſaid clerk ſhall forthwith thereafter deliver the original liſt (with the corrections, if any,) to the ſheriff of his county, for his government in returning of grand and petit jurors to the general court; and ſuch ſheriff, immediately on receiving the ſaid liſt, ſhall cauſe the ſame to be entered faithfully, fairly and alphabetically, in a book to be kept by him for that purpoſe, and ſuch ſheriff ſhall deliver the ſaid original liſt to the clerk of the general court; and if any clerk of any county, or any ſheriff, ſhall neglect any duty above required, ſuch clerk or ſheriff ſhall forfeit not exeeeding fifty pounds current money for every neglect; and if any ſheriff ſhall ſummon and return any perſon to ſerve as a grand or petit juror to the ſaid court, whoſe name is not inſerted in ſuch liſt, ſuch ſheriff ſhall forfeit not exceeding fifty pounds current money for every offence; and every ſheriff ſhall enter or regiſter in a book to be kept by him for that purpoſe, in alphabetical order, the names of ſuch perſons as ſhall be ſummoned, and ſhall ſerve as jurors; and the ſaid ſheriffs ſhall ſo conduct themſelves in ſummoning the reſpective jurors from thoſe whoſe names are entered in the ſaid liſt, as to prevent, as far as poſſible, a burthen or hardſhip from falling on individuals, as far as is conſiſtent with his chief duty of returning the moſt capable and beſt qualified as he is herein before required; and if any ſheriff, or his deputy, ſhall, directly or indirectly, take or receive any money, or other reward, to excuſe any perſon from ſerving, or being ſummoned to ſerve, as a grand or petit juror to the general court, or under that colour or pretence, ſuch ſheriff, or deputy ſheriff, ſo offending, ſhall forfeit fifty pounds current money for every offence; and every ſheriff, on going out of office, ſhall deliver to his ſucceſſor (when required,) the book containing the ſaid liſt, and the regiſter of the ſervice of the ſaid jurors during his being in office, under the penalty of fifty pounds current money; and on the death of any ſheriff, his executor or adminiſtrator ſhall alſo (on demand) deliver to the ſucceſſor the ſaid liſt and regiſter, under the penalty of fifty pounds current money; and any of the ſaid fines may be impoſed by the general court on any clerk, ſheriff or his deputy, or on the executor or adminiſtrator of any ſheriff, on examination and proof of ſuch offence in a ſummary way; and the levy courts of the ſaid counties may make ſuch allowance to the ſaid ſheriffs and clerks, for the execution of the aforeſaid duties, as they may think reaſonable.

XIX. *And be it enacted*, If any perſon not qualified to ſerve on juries according to this act, or exempted from ſuch duty, ſhall find his name mentioned in ſuch liſt, or being qualified, ſhall be ſo circumſtanced in other reſpects as to make it improper to ſummon him as a juryman, ſuch perſon may apply to the county court to which ſuch liſt was returned, and the ſaid court, upon ſatisfaction, by the oath of the party complaining, or other proof, that he is not qualified to ſerve, or that he is exempted, or ought to be exempted from ſerving as a juryman, ſhall order his name to be ſtruck out or omitted in ſuch liſt, and on producing a certificate of ſuch order to the ſheriff, he ſhall immediately ſtrike ſuch perſon out of his liſt.

XX. *And be it enacted*, If by any means of challenges, or default of jurors, a ſufficient number of jurors ſhall not appear, in any criminal or civil caſe, the general court may award a talees, directed to the ſheriff of Anne-Arundel county, or to the ſheriff of Talbot county, as the caſe may be, to ſummon and return ſo many of his county as will make up a full jury, and the ſaid talees ſhall be liable to the ſame challenges as the principal jurors; and if any perſon returned ſhall not appear, or after appearance ſhall wilfully withdraw from the preſence of the court, ſuch perſon ſo offending may be fined by the court, in their diſcretion, not exceeding the ſum of twenty pounds current money.

XXI. *And be it enacted*, That the ſheriffs of the reſpective counties in this ſtate ſhall ſummon and return, as grand and petit jurors to their reſpective county courts, the beſt and moſt capable perſons mentioned in the liſt above directed to be taken, ſubject to the ſame proviſions and penalties reſpecting the ſame, preſcribed in their duty in ſummoning the jurors to attend the general court; and a ſpecial jury may be ſelected or ſtruck in any county court, at the requeſt of the plaintiff or defendant, in the ſame manner as above provided in the general court.

XXII. This act to continue for ſeven years, and until the end of the next ſeſſion of aſſembly thereafter.

By the ſenate, December 2, 1795: Read the firſt time and ordered to lie on the table.

By order,

H. WARFIELD, clk.

By the ſenate, December 16, 1795: Read the ſecond time and will paſs.

By order,

H. WARFIELD, clk.

By the houſe of delegates, December 18, 1795: Read the firſt time and ordered to lie on the table.

By order,

W. HARWOOD, clk.

By the houſe of delegates, December 21, 1795: Read the ſecond time and will not paſs.

By order,

W. HARWOOD, clk.

3

SOUTHAMPTON, *November* 1.

THE weather has been ſo unuſually ſevere for ſome days paſt that the farther embarkation of the troops and ſtores, deſtined for the Weſt-Indies, has been almoſt entirely ſuſpended; this delay muſt, of courſe, be attended with ſerious conſequences, ſhould the wind come round to the eaſtward, as the ſailing of the tranſports cannot poſſibly take place for ſome time at any rate, were the weather immediately to prove ever ſo fine, of which, however, God knows! there is no very encouraging proſpect, as it blows as hard a gale as ever.

The inconvenience which this expedition has thus ſuſtained might have been prevented, had proper veſſels been engaged for the ſervice; but while all the men and ſtores had no other means of being conveyed on board but in ſmall open boats, it was evident, that ſhould foul weather occur, no officer, who knew his duty, could permit them to run the riſk of being ſwamped along ſide of the Weſt-Indiamen, and other large ſhips.

LONDON, *November* 10.

Yeſterday was obſerved as lord mayors day, the annual city feſtival.

At noon the lord mayor went off from Guildhall to the court of Exchequer, at Weſtminſter-hall, where he was ſworn into office, before the barons, with the uſual forms; after which the old and new lord mayor returned together, by water, to Blackfriar's bridge, where they landed and went in their reſpective carriages to Guildhall, where there was an entertainment and ball in the evening as uſual.

As the proceſſion paſſed up Cheapſide, the carriage of Mr. Pitt (N. B. It was not his own carriage) was accompanied by an immenſe concourſe, with hiſſing, groaning, hooting and execrations, and though he was attended by a guard of ſoldiers, in our opinion not leſs than 200, it was with the utmoſt difficulty the populace could be prevented from breaking in upon the carriage, ſo great was the public reſentment.

The poor lord mayor followed ſoon after with little attention from the people, guarded by an extraordinary number of conſtables, ſeventy additional ones having been ſworn in for the purpoſe yeſterday.

The late worthy chief magiſtrate, Mr. Skinner, ſucceeded, drawn by his fellow-citizens! His carriage could not afford room for a thouſandth part of thoſe to lay a hand, who ſeemed anxious to ſhew him this mark of affection and reſpect.—The applauſe of the multitude was unbounded, and the contraſt between him and the unfortunate miniſter was ſuch, as to exceed the powers of deſcription. The firſt guarded by a choſen band of ſoldiers, (ſoldiers in the city!!!) execrated by every voice, and ſhunned even by his paraſites and toad-eaters. The ſecond, Mr. Skinner, attended by the exultation and applauſe of the multitude! The windows waving with handkerchiefs! Not even a conſtable to guard him! but the united voice of his fellow-citizens, ſeeming to exclaim, "Thou art not a burthen to the ſtarving poor! thou haſt not three ſinecure places! and thy good wiſhes for thy fellow-citizens are worthy of the lord chancellor." The judges, and the other officers of the crown, paſſed with little notice.

The humdrum aldermen excited no more attention than the horſes that drew them. It was not ſo in the days of Barnard nor Beckford, and thoſe are the magiſtrates of the beſt, indeed of any mark and likelihood, ſince the time of queen Anne,

"Rather known
"By other follies than his own."

The miniſter and the poor duke of Portland, (it did them great credit) left their own carriages, and were carried incog. by other people!!! This would have been admirable, if it had been from humiliation and contrition—But how much more admirable is it as a voluntary renunciation of popularity and their due reward! [Telegraphe.]

Very great pains have been taken to impreſs upon the public mind, that a mine of gold has been diſcovered in the county of Wicklow. The daily papers have been filled with ſtories evidently framed to encourage ſuch belief. It is, however, from beginning to end no more than a fraud and an impoſition, calculated to give an imaginary value to the unproductive mountains in that quarter, and it is to be hoped that the proprietors of them have had no concern in ſo deep an artifice. D. E. Poſt.

Nov. 12. Madame de la Fayette has reached Vienna with her two daughters. She has obtained the emperor's permiſſion to reſide with her huſband; and did not loſe a moment in ſetting out for the fortreſs in which he was confined.

PHILADELPHIA, *January* 9.

On the 10th of December a brig arrived at Martinique, which had been diſpatched from the Britiſh fleet for the Weſt-Indies on the 13th of November, then three days at ſea: The fleet was ſtated to conſiſt of nine ſhips of the line and eighteen frigates, with tranſports having on board a very large body of troops.

The French landed 350 ſoldiers at Martinique from St. Lucia, the 9th ult. who burnt a ſmall town and two ſugar eſtates; and the negroes were conſtantly joining them.

Jan 21. In yeſterday's paper was inſerted the extract of a letter from Gibraltar, announcing that a treaty between Spain and the United States, was ſigned at Madrid, on the 27th of October laſt.

The principal object of the treaty was, as we learn, to obtain the free navigation of the Miſſiſſippi, and as the treaty is made there is the ſtrongeſt reaſon to believe that America has obtained that *conſummation ſo devoutly to be wiſhed*.

In a late paper it was ſtated, on good grounds, that the emigrations to Kentucky, during the laſt year, amounted to not leſs than about 40 thouſand people. If this navigation is laid open, the numbers will increaſe rapidly.

As ſettlements increaſe on the weſtern waters, the Creeks and other Indian tribes who have done ſo much miſchief on the ſouth-weſtern frontiers, will be gradually ſurrounded and ſhut up, as in a bag; and in a few years will probably become as inſignificant as the Six Nations.

The multiplied benefits ariſing from laying open the Miſſiſſippi, are already underſtood and anticipated by every man in America. One of the moſt deſirable conſequences will be that of demonſtrating to the weſtern people the propriety of America being united within itſelf. This attainment will tend to confirm that general good humour and confidence ſo requiſite for our exiſtence as a political body, ſo extremely requiſite that we may with ſingular juſtice adopt the national motto of the republic of Holland: FRANGIMUR, SI COLLIDIMUR.—*We ſhall go to pieces if we daſh againſt each other.*

On Monday laſt arrived in town, major Lewis, aid-de-camp to major-general Wayne; and captain Britts, from the legion of the United States. The major left head quarters the 1ſt December, came by the way of Ohio, informs that the troops were remarkably healthy, and that a conſtant intercourſe is kept up with the Indians, who conduct themſelves in a peaceable and friendly manner. One of them accompanied major Lewis to the city, for the purpoſe of ſeeing the preſident of the United States.

Captain Taylor, of the dragoons, and ſeveral other officers, are alſo in town, and we learn that the commander in chief himſelf is daily expected, having left the army about the 10th ult. The gentlemen of the three Philadelphia troops of horſe will hold themſelves in readineſs to meet the general a few miles from hence, to pay their reſpects to him, and to eſcort him to town.

BALTIMORE, *January* 25.

Extract of a letter from James Simpſon, conſul of the United States, at Gibraltar, dated at that place, November 14, 1795, *and received by a veſſel lately arrived at New-York, to the ſecretary of ſtate.*

"If this veſſel has a ſpeedy paſſage to New-York, ſhe may carry the firſt news of the treaty between the

United States and Spain being signed, which took place at Madrid 27th laſt month, and the 3d inſtant, Mr. Pinckney and Mr. Short, I underſtand, ſet out for France."

Annapolis, January 28.

PROCEEDINGS

Of the HOUSE of REPRESENTATIVES of the UNITED STATES, in the caſe of ROBERT RANDALL and CHARLES WHITNEY.

INFORMATION being given to the houſe, by the following members in their places, to wit: Mr. Smith, of South-Carolina, Mr. Murray, of Maryland, and Mr. Giles, of Virginia, that a perſon of the name of Robert Randall, had made, or communicated to them, reſpectively, certain overtures to obtain their ſeveral ſupport in this houſe, to a memorial intended to be preſented by the ſaid Robert Randall, on behalf of himſelf and others, for the grant of a tract of land, containing eighteen or twenty millions of acres, bordering on lakes Erie, Michigan and Huron, and lying within the limits of the United States; for which ſupport the ſaid members, reſpectively, were promiſed to receive of the ſaid Robert Randall and his aſſociates, a conſideration or emolument in lands or money: And this houſe regarding the ſaid information as ſufficient evidence of a contempt to, and breach of the privileges of this houſe, in an unwarrantable attempt to corrupt the integrity of its members.

RESOLVED, That Mr. Speaker do iſſue his warrant directed to the ſerjeant at arms attending this houſe, commanding him to take into cuſtody, wherever to be found, the body of the ſaid Robert Randall, and the ſame in his cuſtody to keep, ſubject to the farther order and direction of the houſe.

A warrant purſuant to the ſaid reſolution, was accordingly prepared, ſigned by Mr. Speaker, under his ſeal, atteſted by the clerk, and delivered to the ſerjeant, with order forthwith to execute the ſame, and make due return thereof to the houſe.

Information being alſo given to the houſe, by Mr. Buck, one of the members from Vermont, of an application to him by a perſon of the name of Charles Whitney, by which there is good reaſon to believe, that the ſaid Whitney is a partner and aſſociate of the before named Randall, and equally concerned in the buſineſs and overtures of the ſaid Randall; a ſimilar warrant was ordered, ſigned, and delivered to the ſerjeant as aforeſaid, for taking into his cuſtody, the body of the ſaid Charles Whitney, ſubject in like manner to the further order and direction of the houſe.

Tueſday, 29th December, 1795.

The ſerjeant at arms having returned, on the warrants iſſued to him yeſterday, that he had executed the ſame on the bodies of Robert Randall and Charles Whitney, the perſons therein named, and that he now held them in his cuſtody, ſubject to the further order and direction of the houſe: It was, on motion,

RESOLVED, That a committee of privileges, to conſiſt of ſeven members, be appointed, and that the ſaid committee be inſtructed to report a mode of proceeding in the caſe of Robert Randall and Charles Whitney, who were taken into cuſtody yeſterday, by order of the houſe, and that the ſaid committee have leave to ſit immediately.

ORDERED, That Mr. Baldwin, Mr. William Smith, Mr. Giles, Mr. Murray, Mr. Livingſton, Mr. Coit and Mr. Goodhue, be appointed a committee, purſuant to the ſaid reſolution.

Mr. Baldwin, from the committee of privileges, to whom it was referred to report a mode of proceeding in the caſe of Robert Randall and Charles Whitney, made a report, which was read, conſidered, and agreed to by the houſe, as followeth:

RESOLVED, That the ſaid Robert Randall and Charles Whitney, be brought to the bar of the houſe, and interrogated by the ſpeaker, touching the information given againſt them, on written interrogatories, which, with the anſwers thereto, ſhall be entered on the minutes of the houſe. And that every queſtion propoſed by a member, be reduced to writing, and a motion made, that the ſame may be put by the ſpeaker. That after ſuch interrogatories are anſwered, if the houſe deem it neceſſary to make any further inquiry on the ſubject, the ſame be conducted by a committee to be appointed for that purpoſe.

The ſaid Robert Randall was accordingly brought to the bar of the houſe, in cuſtody of the ſerjeant; and the charge againſt him, as ſtated in the journal of yeſterday, being read, he was interrogated by Mr. Speaker, "whether he did admit, or deny the truth of the ſaid charge?" to which interrogatory he anſwered, that he was not prepared to admit or deny the ſame; but requeſted that time might be allowed him to make anſwer, and offer a vindication of his conduct, until the day after to-morrow: Whereupon,

It was ordered, that the ſaid Robert Randall, do now withdraw in cuſtody, until the houſe ſhall preſently decide on his requeſt.

The ſaid Robert Randall accordingly withdrew, in cuſtody, and after debate,

It was reſolved by the houſe, that time be allowed him, until to-morrow, twelve o'clock, to make anſwer, in conformity to his requeſt.

RESOLVED ALSO, That it be an addition to the charge againſt the ſaid Robert Randall, "that he informed a member of this houſe, that a number of the members of this houſe, not leſs than thirty, had engaged, or were engaged to ſupport his memorial and application; or words to that effect."

The ſaid Robert Randall was then returned to the bar, in cuſtody, and notified by Mr. Speaker, of the indulgence, and further proceeding of the houſe, reſpecting him: after which,

It was ordered, that the ſaid Robert Randall be detained in cuſtody of the ſerjeant, and brought up again to the bar of the houſe, to-morrow at twelve o'clock.

Charles Whitney, the other perſon named in the warrant of Mr. Speaker, was then brought to the bar, in cuſtody of the ſerjeant, and the charge againſt him, as ſtated in the journal of the proceeding of yeſterday, being read, the following interrogatories were propounded to him, by Mr. Speaker; to which he gave the reſpective anſwers thereto ſubjoined.—

Queſtion. What is your name?
Anſwer. Charles Whitney.
Queſtion. Where do you reſide?
Anſwer. In the ſtate of Vermont.
Queſtion. What is your occupation?
Anſwer. I am a farmer.
Queſtion. When did you come to this city?
Anſwer. About the firſt of this month.
Queſtion. Where is your uſual abode whilſt in this city?
Anſwer. At the Green-tree tavern, in Fourth-ſtreet.
Queſtion. Are you, or are you not guilty of the charge which has been read to you, of being a partner and aſſociate of Robert Randall, and equally concerned in the buſineſs and overtures of the ſaid Randall?
Anſwer. I am not guilty: I am equally concerned with Mr. Randall in the preſent land buſineſs, but am ignorant of any improper motives, or improper conduct of the ſaid Randall therein; and can only anſwer for myſelf.
Queſtion. Are any other perſons aſſociated with Mr. Randall and yourſelf, in this buſineſs, and what appropriations or diſpoſition of the ſaid lands did you deſign to mak?
Anſwer. Colonel Pepune, and Mr. Jones of Maſſachuſetts, and col. Ebenezer Allen, of Vermont, agreed to aſſociate with us in this buſineſs; and it was our intention to divide it into forty-one ſhares, and aſſociate with us ſuch other influential characters as we could engage, in order to divide with us the great expence, and trouble of the undertaking.
Queſtion. Are any perſons within the Britiſh lines aſſociated with you in this buſineſs?
Anſwer. Yes.—Mr. Aſkins, ſenior, Mr. Aſkins, junior, Mr. Robinſon, Mr. Innis, a Mr. Pattenſon, merchants and traders reſiding at Detroit, and its vicinity, are concerned with us.
Queſtion. Are any of the perſons you have named at Detroit, as concerned with you, in civil or military commiſſion under the Britiſh government?
Anſwer. Yes.—Mr. Aſkins, the elder, is ſaid to be in civil commiſſion, as a judge.
Queſtion. Have you any inſtrument of aſſociation between yourſelf and partners?
Anſwer. I have; it is ſigned by the perſons laſt named, and is, I believe, now at my lodgings.
Queſtion. Have you any objections to produce the ſaid inſtrument?
Anſwer. I don't know that I have; but being without counſel I wiſh for time to reflect upon it.
Queſtion. Are you acquainted with a perſon of the name of John Gove, and did you make application to him to become an aſſociate with you?
Anſwer. I am acquainted with Mr Gove, and did apply to him, to become an aſſociate; to which I underſtood him to have agreed.
Queſtion. Where does Mr. Gove lodge?
Anſwer. At the Green tree tavern, in Fourth ſtreet.
Queſtion. Was Mr. Gove authoriſed by you, to apply to any members of congreſs in favour of your propoſal?
Anſwer. I did mention to Mr. Gove, that he might apply to the members in favour of our propoſal.
Queſtion. Were there any ſhares of the ſaid land to be left open or unappropriated, between you and your aſſociates?
Anſwer. There were ſhares left open to be filled at my pleaſure.
Queſtion. Did you make any, and what application to Mr. Buck, one of the members of this houſe, from the ſtate of Vermont, to ſupport your application?
Anſwer. I did apply to Mr. Buck, at his houſe in Vermont, and repreſented to him, generally, the nature and advantages of our plan; but I made no propoſal to him of benefit or advantage to himſelf or of other improper inducement.

Mr. Buck then informed the houſe, that the ſaid Charles Whitney had made overtures to him in Vermont, offering a ſhare in land, or an equivalent in money; or words to that effect: Whereupon,

It was moved and ſeconded, that the ſaid Charles Whitney do now withdraw in cuſtody, and that all further proceedings reſpecting him be adjourned until to-morrow, twelve o'clock.

And, on a queſtion taken, the ſame was ordered accordingly; with an inſtruction to the ſerjeant, to keep him ſeparate and apart from Robert Randall.

Wedneſday, 30th December, 1795.

A petition of Robert Randall, in cuſtody of the ſerjeant at arms, was preſented to the houſe and read, praying that he may be indulged with the aſſiſtance of counſel, and a reaſonable time to prepare for his defence, on the charges now depending againſt him before the houſe: Whereupon,

It was reſolved, that the prayer of the ſaid petition be granted.

The ſaid Robert Randall was then brought to the bar, in cuſtody of the ſerjeant, and it being demanded of him by Mr. Speaker, "what further time he required to prepare for his defence?" he anſwered until Friday next.

RESOLVED, That further time be allowed the ſaid Robert Randall, until Friday next, to prepare for his defence; and that in the mean time, he be remanded in cuſtody of the ſerjeant, until further order.

The ſpeaker laid before the houſe, an inſtrument of writing, purporting to be, "articles of agreement entered into and concluded at Detroit, the twenty-ſixth day of September, in the year of our lord, one thouſand ſeven hundred and ninety-five, for the purpoſe of obtaining the pre-emption right from the United States of America, and extinguiſhing the right of the native Indians to a certain territory therein defined, containing by computation, eighteen or twenty millions of acres, and lying on lakes Erie, Huron and Michigan, between Ebenezer Allen and Charles Whitney, of the ſtate of Vermont, and Robert Randall of the city of Philadelphia, on the one part; and John Aſkin, Jonathan Scheiffelin, Willian Robertſon, John Aſkin, junior, David Robertſon, Robert Innis and Richard Pattenſon, all of Detroit, of the other part;" which inſtrument of writing had been given up by Charles Whitney to the ſerjeant at arms, and by the ſerjeant delivered to the ſpeaker.

The ſaid inſtrument of writing was read, and ordered to lie on the table.

Charles Whitney was then brought to the bar, in cuſtody of the ſerjeant, and the further information againſt him, by Mr. Buck, one of the members from Vermont, as ſtated in the journal of the proceedings of yeſterday, being read to him, he was interrogated by Mr. Speaker, "whether he did admit or deny the ſame?"—To which he anſwered, that he did wholly deny the ſame: Whereupon,

It was ordered, that he be remanded to the cuſtody of the ſerjeant, until further order of the houſe; and

On motion,

It was reſolved, that the committee of privileges be inſtructed to conſider and report to this houſe, the proper mode of conducting the further inquiry, and the trial in the caſe of Robert Randall and Charles Whitney.

Thurſday, 31ſt December, 1795.

The ſpeaker laid before the houſe, a letter from Robert Randall, in cuſtody of the ſerjeant, "ſtating that the engagements of the gentlemen of the bar of this city, will prevent them from aſſiſting him as counſel, until Saturday evening; and praying a farther poſtponement of the proceedings reſpecting him, until the earlieſt part of next week," which was read. Whereupon,

ORDERED, That further time be allowed the ſaid Robert Randall, until Monday next, in conformity to his requeſt.

Mr. Baldwin, from the committee of privileges, to whom it was referred to conſider and report on the proper mode of conducting the further inquiry, and the trial in the caſe of Robert Randall and Charles Whitney, made a report, which was read, and debate ariſing thereon,

An adjournment was called for.

[*To be continued.*]

For SALE,

AN elegant PHAETON, built on the moſt faſhionable conſtruction, with a ſet of the beſt London plated HARNESS. The carriage is in no manner injured. Apply to the printers hereof.

1

NOTICE.

THE ſubſcriber intends to petition the next Charles county court for a commiſſion to mark and bound the a tract of land called BOARMAN'S MANOR, lying in Charles county, under an act of aſſembly, entitled, An act for marking and bounding lands.

1 3/4 JAMES BOARMAN.

Bryan-town, January 27, 1796.

Five Pounds Reward.

RAN away from the ſubſcriber a negro man named HARRY, about five feet ſix inches high, twenty-four years old, knock kneed, large wide mouth, which, when he laughs, he ſpreads very much, and half ſhuts his eyes, he liſps and ſpeaks thick, eſpecially when ſurpriſed or frightened; he had on a new white cotton jacket and trouſers of the ſame cloth, rather ſhort and pieced at bottom, an old wool hat, brown linen ſhirt, white yarn ſtockings, and ſtrong ſhoes with hob nails in the ſoles and large broad headed nails in the heels. Whoever takes up the ſaid negro, and ſecures him ſo as his maſter gets him again, ſhall receive the above reward, and if brought home, reaſonable charges, paid by

JAMES CHESTON.

Weſt river, January 7, 1796. 1 3/4

Thirty Dollars Reward.

RAN away in May laſt a negro man named JOHN, a carpenter, a black luſty fellow, with a ſcar under one of his eyes, and on the 6th inſtant, eloped negro BEN, a ſmall black fellow, with one of his fingers hurted by ſome accident. Whoever will deliver me the above negroes, or ſecures them in the Annapolis gaol, ſhall be paid the reward above, or FIFTEEN DOLLARS for either of them.

BENNETT DARNALL, near Pig Point.

January 21, 1796. 1 3/16

By virtue of a writ of *fieri facias*, from the general court, to me directed, will be SOLD, at the houſe of EDWARD SPURRIER, at Elk-Ridge Landing, on Saturday the 13th day of February,

A TRACT of land called HERBERT's CARE, containing about 200 acres, taken as the property of WILLIAM PITT GRIFFITH, and ſold to ſatisfy a debt due to ARCHIBALD MONCRIEFF and ROBERT DORSEY. The ſale to begin at 12 o'clock.

3 RICHARD HARWOOD, Sheriff of Anne-Arundel county.

January 12, 1796.

A LIST of LETTERS remaining in the Poſt-Office, Piſcataway, which, if not taken up before the firſt day of April, will be ſent to the General Poſt-Office as dead letters.

JOHN ADDISON.
Thos. Brown.
Mrs. Suſanah Brewer.
Henry Clarvoe.
Benjamin Cawood.
Samuel Crawford, 3 letters.
Nicholas Cracoſt.
Edward Edelen, Eſq;
Thos. Mudd, near Piſcaty.
John Murphey, merchant, Piſcatay.
Benjamin Oden.
Leonard Robey, 2 letters.

3X ISIDORE HARDEY.

ALL perſons indebted to the eſtate of JOHN NORRIS, late of Anne-Arundel county, deceaſed, are requeſted to make immediate payment, and thoſe having claims to make them known, to

3X MARTIN NORRIS, Adminiſtrator.

Anne-Arundel county, Weſt river, Jan. 8, 1796.

A LIST of LETTERS remaining in the Poſt-Office, Port-Tobacco, which, if not taken up before the firſt day of April, will be ſent to the General Poſt-Office as dead letters.

ANN JACKSON, Nanjemoy.
Geo. Lee, Poplar hill.
Mrs. Elizabeth M'Kibley, Poarmonky.
Maur. M'Donough, near Port-Tobacco.
John B. Hanſon, near Port-Tobacco, 2 letters.
Francis Sewall, near Port-Tobacco.
John Nowlan, Cob Neck, Charles county.
Richard Macall, Calvert county.
Daniel Sharp, Somerſet county.
Jn. Booth, mercht. Nanjemoy.
Saml. C. Cox, Port-Tobacco, Maryland.
Mrs. Eleanor Boarman, Piſcawaxen, C. county, 2.
Mr. Ben. Countee, Blenhim, Charles county.
William Hill, bricklayer, Port-Tobacco.
Garrard B. Cauſine, near Port-Tobacco, 2.
John Fenwick, Cornwallices Neck.
James Freeman, Port-Tobacco.
Wm. D. Harriſon, Nanjemoy, Charles county.
Miſs Dickenſon, St. Thomas's Manor, C. county.
James Simms, Cob Neck.
William Hanſon, Charles county.
Mrs. Mary Clements, Charles county.
Geo. P. Greenfield, Benedict.
Walter Stone, Port-Tobacco, 2.
William Elgin, Cob Neck, Charles county.

SARAH DAVIS, P. M.

Port-Tobacco, January 5, 1796. 2

A LIST of LETTERS remaining in the Poſt-Office, Annapolis, which, if not taken up before the firſt day of April next, will be ſent to the General Poſt Office as dead letters.

ANNE ASHMEAD, rev. John Aſhton, Annapolis; Thos. Ayres, Weſt river.

William Brogden, James Bond, Richard Burke, James Bruce, Luis Baily, Annapolis.

Jeremiah Chaſe, Nicholas Carroll (2), John Callahan, Henry James Carroll, capt. William Coward (2), Anne Clewis, John Conly, care of Wallis and Muir, William Coe (2), Abraham Clod, Annapolis; Richard Chew, jun. (2), Herring bay; capt. Leonard Covington, Patuxent; Thomas Carter, Kent-Iſland.

Gabriel Duvall (3), col. William Deakins, William M. Duncanſon, Annapolis; capt. James Diſney, near Annapolis.

Dr. Thomas Edgar, Annapolis.

Richard Fraſer, Benjamin Fairbairn, Annapolis.

John Gwinn, John M. Gantt, Archibald Golder, Annapolis.

Jere. Harwood, Annapolis; Edward Hall, Weſt river.

John Johnſton, Annapolis; John Johnſton, Lower Marlbro'.

Thomas Lanſdale, Queen-Anne.

Luther Martin, Gilbert Murdoch, Elizabeth Mordock, Annapolis; Samuel M'Cubbin, near Annapolis; Charles M'Pherſon, Hunting-town.

Mrs. A. Ogle, Annapolis.

Geo. Peachy and Gilmore, Edward James Pryſe, Annapolis.

Allen Quynn, Annapolis.

Henry Ridgely (2), Samuel Ringgold, Mrs. S. Ringgold (2), Eliza Rodgers, Annapolis.

Mrs. Stevens (2), Guſtavus Scott, John Sands, Wm. Sandiſon, Philip Schwarer, Annapolis; rev Mr. Scott, Herring bay.

Samuel Tyler, Governor's Bridge; Thomas Tillard (2), Herring bay; Miſs Tayloe, Wye river.

William Winder, John C. Weems (2), James Weſt, Thomas Walley, William Wells (2), Turner Wotton, Annapolis; Thomas Warfield, near Annapolis; John Weems (2), to be left at John Thomas's Weſt river.

S. GREEN, D. P. M.

January 1, 1796. 2

BY virtue of the powers veſted in us by an act of the General Aſſembly of the State of Maryland, entitled, An act for erecting a bridge over the eaſtern branch of Patowmack river, we do hereby give notice, that books will be opened by us in the city of Waſhington, on the fourth Monday in February next, for receiving and entering ſubſcriptions for the ſaid undertaking.

NOTLEY YOUNG,
DANIEL CARROLL, of Dn.
WILLIAM M. DUNCANSON,
THOMAS LAW,
GEORGE WALKER.

4

N. B. The act is publiſhed in the Federal Intelligencer and Baltimore Daily Gazette.

NOTICE.

ALL perſons having claims againſt the eſtate of STEPHEN STEWARD, ſenior, late of Anne-Arundel county, deceaſed, whether on judgment, bond, bill, note, or open account, are requeſted to produce them, legally authenticated, to the ſubſcriber, or to PHILIP B. KEY, of Annapolis, on or before the firſt day of June next, in order for payment, ſo far as aſſets have come to the ſubſcriber's hands; thoſe who neglect to bring in their claims will be excluded from any ſhare of the diſtribution then to be made.

BENJAMIN HARRISON, Adminiſtrator de bonis non of S. STEWARD, ſen.

Annapolis, January 3, 1796. 4

To be SOLD,

A COMMODIOUS DWELLING-HOUSE, in a pleaſant part of this city.——Apply to the PRINTERS. 12 Annapolis,

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By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the regiſter of the land-office for the weſtern ſhore cauſe ſo much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be publiſhed for ſix weeks ſucceſſively, before the firſt day of April next, in the Annapolis, Eaſton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news-papers.

By order,

W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in caſe any warrant for ſurveying or reſurveying land hath iſſued or ſhall iſſue, and the ſame hath been or ſhall be executed by a deputy of the ſurveyor, authoriſed to execute the ſame, and before a certificate of the ſurvey or reſurvey ſhall be made out and ſigned by the ſaid ſurveyor he ſhall die, the ſaid deputy ſhall have power, within ſix months after ſuch death, to make out and ſign a plot and ſpecial certificate, ſtating the circumſtances of the caſe, with an affidavit of the truth thereof annexed or endorſed, and the ſaid certificate ſhall be as good and effectual as if made out and ſigned by the ſaid ſurveyor, and if any amendment or correction of the ſaid plot or certificate ſhall be neceſſary, the amendment or correction ſhall be made by the ſaid deputy, or ſuch other perſon as the chancellor, or the judge of the land-office on the eaſtern ſhore, as the caſe may be, ſhall think proper.

And be it enacted, That in caſe any certificate hath been or ſhall be made out by any county ſurveyor, authoriſed to make the ſame, under a warrant of ſurvey or reſurvey, and the ſame hath been or ſhall be duly returned, and an order of the chancellor, or judge of the land-office of the eaſtern ſhore, hath been or ſhall be made for correcting the ſame, and the ſurveyor hath reſigned or ſhall reſign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eaſtern ſhore reſpectively, on application of the party, and at his own diſcretion, may order the correction to be made by the ſaid ſurveyor, and the corrected certificate made out by the ſaid ſurveyor ſhall be as good and effectual as if he had not reſigned, and he ſhall be entitled to ſuch fees as to the chancellor, or judge of the land-office for the eaſtern ſhore, ſhall, under all circumſtances, appear reaſonable, not exceeding the fees eſtabliſhed by law.

And be it enacted, That hereafter no original certificate of ſurvey or reſurvey under a warrant ſhall be received in the land-office, unleſs the ſame be paſſed by the examiner-general, and returned to the ſaid office before the firſt day of July next, or within eighteen months from the date of the warrant, and in caſe any order hath been made for the correction of any certificate of ſurvey or reſurvey under a warrant, the corrected certificate ſhall not be received into the land-office, unleſs paſſed by the examiner (if neceſſary) and returned before the firſt day of January, ſeventeen hundred and ninety-ſeven, and in caſe any order ſhall hereafter be made for the correction of any certificate as aforeſaid, the corrected certificate ſhall not be received, unleſs paſſed by the examiner (if neceſſary) and returned within nine months from the date of the order, but nothing in this act contained ſhall be ſo conſtrued as to extend the time within which a ſurvey or reſurvey under a warrant may be made.

And be it enacted, That where any certificate of ſurvey or reſurvey ſhall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eaſtern ſhore, may think proper to direct the correction of any certificate, and there is not ſufficient time for ſuch correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treaſurer, three months ſhall be allowed for the correction of ſuch certificate, and being paſſed by the examiner-general, and payment made within the ſaid three months, the ſame ſhall be valid,

And be it enacted, That no certificate of ſurvey or reſurvey ſhall be liable to a warrant of proclamation before the firſt day of June next.

And be it enacted, That in caſe any certificate of ſurvey or reſurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, ſuch ſurvey or reſurvey ſhall be liable to be affected by a proclamation warrant, by any perſon who ſhall apply for the ſame, but no proclamation warrant ſhall thereafter iſſue on any ſurvey made or hereafter to be made in this ſtate, unleſs one tenth part of the land contained in the ſaid ſurvey or reſurvey is compounded upon and paid to the treaſurer of the weſtern or eſtern ſhore, as the caſe may be, before ſuch warrant ſhall iſſue; provided, that the perſon claiming the ſaid ſurvey or reſurvey ſhall have one day after the ſaid firſt day of June, or after the expiration of the warrant of ſuch ſurveys or reſurveys made, or hereafter to be made, as aforeſaid, for a proclamation, to pay and compound on the ſame, and no application ſhall be received by the regiſter of the land-office for the weſtern or eaſtern ſhore reſpectively, until after ſuch day of pre-emption ſhall have expired; provided, that nothing herein contained ſhall be taken or deemed to affect the right of any perſon who hath already applied for any proclamation warrant, if ſuch perſon ſhall take out the ſaid warrant on or before the firſt day of April next.

And be it enacted, That it ſhall be the duty of ſurveyors in returning certificates hereafter to expreſs the quantity and quality of the improvements contained on the land included in the ſurvey or reſurvey, and ſubject to the operation of the warrant, with his opinion of the value of the ſame, and no exception ſhall hereafter be taken to any certificate of ſurvey, or reſurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act ſhall be taken or conſtrued to affect any caſe now exiſting on caveat before the chancellor. 5

To be SOLD, under a decree of the High Court of Chancery, at PUBLIC SALE, at George-town, on the 15th day of February next,

FIVE country born negro SLAVES, conſiſting of three men and two women. Six months credit will be given.

JOHN M. GANTT, Truſtee. 5

In the LAND-OFFICE, January 1, 1796.

Samuel Swearingen } THE ſaid EDWARD DAY
againſt } having entered a caveat
Edward Day, } againſt the ſaid SAMUEL SWEARINGEN's certificate of a tract of land called SMITH's FORTUNE, and the ſaid Day having returned a certificate of a reſurvey of a tract called HILTON, including the whole of Smith's Fortune, and the ſaid Swearingen being therefore conſidered to have a caveat againſt the ſaid Hilton, and the ſaid caveat never having been proſecuted, and the ſaid Swearingen, as it is ſaid, having left the ſtate, it is adjudged and ordered, that unleſs the ſaid Samuel Swearingen, or his legal repreſentative, ſhall appear here on the twenty-ſecond day of July next, agreeably to a ſubpœna this day iſſued, and then and there ſupport his caveat againſt the ſaid certificate of Hilton, the ſame ſhall be then diſmiſſed; provided the ſaid ſubpœna be regularly returned by the ſheriff of Anne-Arundel county, and provided a copy of this order be inſerted in the Maryland Gazette at any time before the twenty-ſecond day of the preſent month, and continued therein at leaſt three weeks ſucceſſively.

By order of the Chancellor, 3X

JOHN CALLAHAN, Reg. L. O. W. S.

WHEREAS his excellency JOHN H. STONE, governor of Maryland, has been pleaſed to nominate and appoint us, referrees, to ſettle and adjuſt the proportions of ſtock of the United States to be transferred to the Patuxent Aſſociators, or their legal repreſentatives, by the truſtee of this ſtate, in virtue of a reſolution of the laſt general aſſembly, Notice is hereby given, that we ſhall meet at this place on the firſt Wedneſday in February next, for the purpoſes of adjuſting the proportions agreeable to ſaid reſolution, and all perſons having claims are deſired to exhibit them, on or before that day, to us.

J. THOMAS,
R. YOUNG,
G. BISCOE.

4X

Nottingham, December 28, 1795.

Patowmack Company.

THE ſtockholders on the new ſubſcription to the Patowmack Company, are required to pay to *William Hartſhorne*, treaſurer, on or before the firſt day of March next, ten pounds per cent. on the amount of each ſhare by them held.

JOHN FITZGERALD, Preſident,
GEORGE GILPIN,
JAMES KEITH,
JOHN TEMPLEMAN,
TOBIAS LEAR,
} Directors.

4

Alexandria, Dec. 22, 1795.

RAN AWAY from the ſubſcriber, in the month of May laſt, a mulatto woman named MARY, about twenty-one years of age, ſhe took her only child with her, a handſome mulatto boy, about three years old, it is ſuppoſed ſhe is in the city of Annapolis, or the neighbourhood thereof, as ſhe has been ſeen about three weeks ago in company with a certain CHARLES CLEVIS, a free black, who it is probable will claim her as his wife and paſs her for a free woman. A reward of THREE POUNDS will be given for ſecuring the ſaid woman and child, and if brought home reaſonable charges, paid by

WILLIAM HARWOOD.

July 6, 1795. 23

TO BE SOLD,

A LARGE and commodious three ſtory brick DWELLING HOUSE in this city, an excellent ſtand for the mercantile buſineſs, and well calculated for a family.—Inquire of the PRINTERS.

N. B. A pleaſing credit will be given to the purchaſer. 4 Annapolis.

HAVING ſuffered much loſs by treſpaſſes on my plantation near this city, I now give notice, that I will proſecute all thoſe who commit the like in future.

BENJAMIN OGLE.

Auguſt 22, 1795. 19

NOTICE is hereby given, that I intend to apply to the juſtices of Anne-Arundel county court, at the next term, for a commiſſion to mark and bound a tract of land in ſaid county, called The VENTURE ENLARGED, agreeably to an act of aſſembly for marking and bounding lands.

3 BENJAMIN RISTON.

Anne-Arundel county, January 12, 1796.

ANNAPOLIS:
Printed by FREDERICK and SAMUEL GREEN.